

REMARKS

Applicants thank the Examiner for the Interview held on March 31, 2005 for indicating that the proposed amendment to claim 1 appears to overcome the rejections in the January 26, 2005 Office Action.

Claims 1-2, 4-8, 10-15, and 17-21 are pending. By this amendment, claim 21 is cancelled and claims 1, 4, 5, 8, and 15 are amended. No new matter is introduced. Support for the amendments and the new claim may be found at least at page 8, lines 16-18 and page 12, lines 9-11 of the specification. Reconsideration and allowance of the claims in view of the above amendments and the remarks that follow are respectfully requested.

Claim Rejections Under 35 U.S.C. §112

Claims 4 and 5 are rejected under 35 U.S.C. §112. Claims 4 and 5 have been amended to depend from claim 1. Withdrawal of the rejections is respectfully requested.

Claim Rejections Under 35 U.S.C. §103

On page 2 the Office Action rejects claims 1-2, 4-8, 10-15, and 17-21 under 35 U.S.C. §103 (a) over U.S. Patent 5,257,387 to Richek et al (hereafter Richek) in view of U.S. Patent 5,634,072 to Allen et al (hereafter Allen). This rejection is respectfully traversed.

Claim 21 has been canceled, rendering the rejection of claim 21 moot.

Richek is directed to a computer implemented method and apparatus for dynamic and automatic configuration of a computer system and circuit boards including computer resource allocation conflict resolution. Allen is directed to a method and system for managing one or more coupling facilities in a data processing system.

As agreed upon during the Interview, Richek and Allen, individually and in combination, do not disclose or suggest "calculating an optimal distribution of the excess entitlement values to be reallocated to each active group by traversing once the list of active groups in the increasing order; and reallocating the excess entitlement values to the active groups according to the optimal distribution for each active group, wherein optimal values reallocated to the active groups are in proportion to the respective entitlement values, and wherein a total resource reallocated to each of the active groups does not exceed a maximum limit for each of the active groups," as recited in amended claim 1. Therefore, amended claim 1 is allowable.

If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and MPEP § 2143.03. Claims 2 and 4-7 depend from claim 1, and for this reason, and

the additional features they recite, claims 2 and 4-7 are also allowable. Withdrawal of the rejection of claims 1-2 and 4-7 under 35 U.S.C. §103 (a) is respectfully requested.

Regarding independent claim 8, for at least the same reason as noted above with respect to claim 1, Rickek and Allen, individually and in combination, do not disclose or suggest “calculates an optimal distribution of the excess entitlement values to be reallocated to each active group by traversing once the list of active groups in the increasing order; and reallocates the excess entitlement values to the active groups according to the optimal distribution for each active group, wherein optimal values reallocated to the active groups are in proportion to the respective entitlement values, and wherein a total resource reallocated to each of the active groups does not exceed a maximum limit for each of the active groups,” as recited in amended claim 8. Therefore, amended claim 8 is allowable.

Claims 10-14 depend from claim 8, and for this reason, and the additional features they recite, claims 10-14 are also allowable. Withdrawal of the rejection of claims 8 and 10-14 under 35 U.S.C. §103 (a) is respectfully requested.

Regarding independent claim 15, for at least the same reason as noted above with respect to claim 1, Rickek and Allen, individually and in combination, do not disclose or suggest “calculates an optimal distribution of the excess entitlement values to be reallocated to each active group by traversing once the list of active groups in the increasing order; and reallocating the excess entitlement values to the active groups according to the optimal distribution for each active group, wherein optimal values reallocated to the active groups are in proportion to active groups’ respective entitlement values, and wherein a total resource reallocated to each of the active groups does not exceed a maximum limit for the groups,” as recited in amended claim 15. Therefore, amended claim 15 is allowable.


Claims 17-20 depend from claim 15, and for this reason, and the additional features they recite, claims 17-20 are also allowable. Withdrawal of the rejection of claims 15 and 17-20 under 35 U.S.C. §103 (a) is respectfully requested.

In view of the above remarks, Applicants respectfully assert that claims 1-2, 4-8, 10-15, and 17-20 are allowable. Prompt allowance of all pending claims is respectfully requested.

Per a telephone conference with the Examiner on March 31, 2005, please call Applicants' undersigned representative at the telephone number listed below before issuing a further Office Action.

Respectfully submitted,

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